

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

STATE OF NEW JERSEY,

Plaintiff,

v.

UNITED STATE DEPARTMENT OF
TRANSPORTATION, et al.

Defendants,

and

METROPOLITAN TRANSPORTATION AUTHORITY,
et al.

Defendant-Intervenors.

Civil Action No. 2:23-cv-03885

MARK SOKOLICH, in his capacity as the mayor of Fort
Lee and a resident of Fort Lee, and RICHARD GALLER
individually and on behalf of all others similarly situated,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, FEDERAL HIGHWAY
ADMINISTRATION, SHAILEN BHATT, in his official
capacity as Administrator of the Federal Highway
Administration, and RICHARD J. MARQUIS, in his
official capacity as Division Administrator of the New York
Division of the Federal Highway Administration; THE
METROPOLITAN TRANSIT AUTHORITY (MTA),
JOHN JANNO LIEBER, in his official capacity as Chair
and CEO of the MTA, the TRIBOROUGH BRIDGE AND
TUNNEL AUTHORITY (TBTA), DANIEL
DECRESCENZO, in his official capacity as President of the
(TBTA), the TRAFFIC MOBILITY REVIEW BOARD
(TMRB), CARL WEISBROD, in his capacity as Chair of
the (TMRB) .

Defendants.

Civil Action No. 2:23-cv-21728

**[PROPOSED] ORDER TO SHOW CAUSE FOR AN ORDER GRANTING THE
SOKOLICH PLAINTIFFS STANDING TO APPEAR ON ALL APPELLATE ISSUES**

Upon the application of Mark Sokolich and Richard Galler (“Sokolich Plaintiffs”), by its counsel, Nagel Rice, LLP, the Letter Brief submitted herewith, and all the prior papers filed in this action and the matter entitled Sokolich v. United States Department of Transportation, et al, United States District Court for the District of New Jersey, Civil Action No. 23-cv-21728 (“Sokolich Action”), it is hereby:

- I. **ORDERED** that the Order staying the Sokolich Action until 30 days after the final resolution of the cross-motions for summary judgment by the Court in State of New Jersey v. U.S. Dep’t of Transp., (ECF 61) is hereby vacated.
- II. **ORDERED** that the above-captioned defendants United States Department of Transportation, Federal Highway Administration, Shailen Bhatt, in his official capacity as Administrator of the Federal Highway Administration, and Richard J. Marquis, in his official capacity as Division Administrator of the New York Division of the Federal Highway Administration (collectively, “Defendants”), the above-captioned intervenor-defendants Metropolitan Transportation Authority and Triborough Bridge and Tunnel Authority (collectively, “Intervenor-Defendants”) and the Plaintiff, State of New Jersey show cause before a motion term of this Court, in Room ____, United States Courthouse, 50 Walnut Street, Newark, NJ 07102 on_____, 2025, at _____ a.m./p.m., or as soon as thereafter as counsel may be heard, why an order should not be issued granting the Sokolich Plaintiffs standing to appear on all appellate issues regarding this action, and granting such other relief as this Court deems just and proper.
- III. **ORDERED**, that opposition papers, if any, must be submitted by _____, 2025

- IV. **ORDERED**, that reply papers, if any, in support of the Application by Order to Show Cause must be submitted by _____, 2025.
- V. **ORDERED**, that (1) personal service, or (2) service by (a) e-mail or (b) overnight delivery, of a copy of this Order and the above-referenced Letter Brief upon the Defendants, Intervenor-Defendants and the Plaintiff or their respective counsel on or before _____, 2025, shall be deemed good and sufficient service thereof.

DATED: _____
Newark, New Jersey

ORDERED:

HON. LEO M. GORDON
U.S. Court of International Trade
(Sitting by designation in the District of New Jersey)